

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**

APR 16 2019

Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

CR 11-18-M-DWM

Plaintiff,

vs.

ORDER

STACEY HEBUCK,

Defendant,

THE LIVING CENTER,

Garnishee.

A writ of garnishment, directed to garnishee, has been duly issued and served upon the garnishee. (Doc. 40.) Pursuant to the writ of garnishment, the garnishee filed an answer on or about March 27, 2019, stating that at the time of the service of the writ, garnishee had in garnishee's possession, custody, or control personal property belonging to and due defendant, that defendant is employed by the garnishee and earns regular wages from the garnishee. (Doc. 47.)

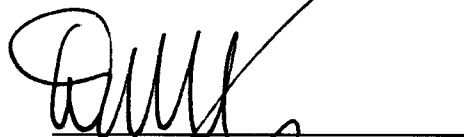
On February 27, 2019, the defendant was notified of her right to a hearing and has not requested a hearing to determine exempt property. (*See* Doc. 42.)

On March 28, 2019, Plaintiff filed a request for entry of final order in garnishment. (Doc. 48.) No responsive pleading has been filed.

IT IS ORDERED that garnishee shall pay to plaintiff the lesser of a) 25% of defendant's disposable earnings or b) the amount by which defendant's disposable earnings exceed 30 times the federal minimum hourly wage. "Disposable earnings" are those earnings remaining after deductions of any amount required by law to be withheld, such as social security and withholding taxes. These payments shall be made at the same time the employee is paid and shall continue until the debt to the plaintiff is paid in full or the garnishee no longer has custody, possession, or control of any property belonging to the debtor or until further order of this Court. Payments shall be sent to: Clerk of Court, 201 E. Broadway, Room 370, Missoula, Montana 59802.

IT IS FURTHER ORDERED that any amounts which the garnishee may be holding pursuant to the writ of garnishment shall immediately be turned over to the United States Attorney at the above address.

DATED this 16<sup>th</sup> day of April, 2019.

  
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Donald W. Molloy, District Judge  
United States District Court  
